

REMARKS

Reconsideration of the outstanding Office Action is respectfully solicited.

Claim 18 serves as the basis for Claim 23 *et seq.* Claims 23-39 contain recitations of Claims 1-17, respectively. The preamble of Claims 23-39 refers to a method.

In Applicants' view, none of the applied art (nor concurrently cited art) provides the written description required by case-law precedent to constitute an anticipatory reference. Please see Section 2131 of the MANUAL OF PATENT EXAMINING PROCEDURE. Therein, the M.P.E.P. encapsulates the law with respect to "anticipation" case precedent. The unitary reference applied as an anticipation must provide a written description of each and every element of the claim under scrutiny.

Applicants respectfully traverse the rejection of claims of the instant patent application over WO/98/43733 (U.S. 6,306,796 being used as a translation thereof). Applicants' review of the reference reveals that the portion of the reference relied upon by the U.S. PTO states:

When the photocatalytic activity of a monoclinic titanium dioxide ... it is obtainable by incorporating the above photocatalyst in a substrate, by applying a coating composition containing the photocatalyst on a substrate surface so as to form a film, by laminating a film containing the photocatalyst on a substrate surface or by other arbitrary manners. (6,306,796, column 3, lines 30-40.)

The Examples of U.S. 6,306,796 relate to spraying a coating.

In summary, the reference does not describe laminating in accordance with steps (a)-(c) of Claim 18 or the photocatalyst-supporting film and the laminating by heat-pressing in accordance with Claim 23 (and the claims dependent thereon), the further adhesive layer of Claim 24 (and the claims dependent thereon), the lamination of two or more resin films as in Claim 25 (and the claims dependent thereon), or the adhesive layer of Claim 28 (and the claims dependent thereon). The WO/98/43733 reference does not constitute a reference under 35 U.S.C.

§ 102(a) against the instant application. The reference has a publication date of October 8, 1998, which is later than the priority date of the instant application. The instant application has a priority date of November 7, 1997. Please see the NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. §371 and the enclosed translations of the priority applications. Accordingly, withdrawal of the rejection is respectfully requested.

Applicants respectfully traverse the rejection of the claims of the instant patent application over WO97/00314 (based on the description of U.S. 6,228,480), under 35 U.S.C. § 102(b). The Kimura U.S. counterpart of WO97/00314 does not provide a written description of each and every element of the rejected application claims. Kimura does not describe a laminate of a metal plate and photocatalyst supporting film, and does not describe such a laminate formed by heat-pressing. Moreover, Kimura does not describe the structural result which is embodied by the Figure of the application; the structure of the Figure in the instantly rejected application is the result of the method claims of the instant application, including Claims 18 and 23 *et seq.* In summary, the reference does not describe laminating in accordance with steps (a)-(c) of Claim 18 or the photocatalyst-supporting film and the laminating by heat-pressing of Claim 23 (and the claims dependent thereon), use of the further adhesive layer of Claim 24 (and the claims dependent thereon), the lamination of two or more resin films as in Claim 25 (and the claims dependent thereon), or the adhesive layer of Claim 28 (and the claims dependent thereon).

Applicants respectfully traverse the rejection of the claims of the instant patent application over WO97/00314 under 35 U.S.C. § 102(b). The WO97/00314 reference is not a printed publication available under 35 U.S.C. § 102(b), which requires that the printed publication be available more than one year before Applicants' U.S. effective filing date. The

WO97/00314 reference has a printed publication date of January 1997. By comparison, the instant application has a priority date of November 1997. Accordingly, the reference is not appropriately applied under Section 102(b).

Thus, the references fail to describe the subject matter of the claims in this application, and thus fail to anticipate the claims. Moreover, the references fail, under 35 U.S.C. § 103 to render obvious the subject matter herein. Please see the specification at page 16, lines 11-16, and at page 17, lines 14-26. At page 16, it is stated:

in the present invention, heating and pressing are employed for the laminating process, which allows ... firm sticking of the photocatalyst layer to the adhesive layer and ... better durability, adherence and anti-exfoliation....

At page 17, it is stated:

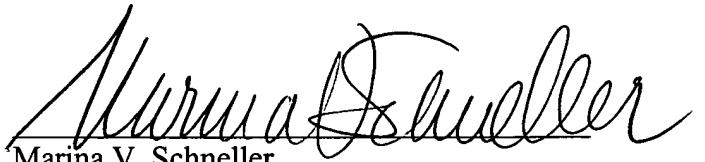
Accordingly, the present invention has ... improvement in ... homogeneity of film thickness, which are facilitated by ... faster formation of a photocatalyst layer [compared] to the ... method to coating and drying ... according to common dipping method or spraying method.... Further the metallic plates ... wide application ... since those structures can be prepared into various shapes by molding metallic plates and resin substrates by press processing following to lamination with the photo catalyst-supporting film and subsequent cutting.

In Applicants' view, none of the advantages described in the application under examination is described or suggested by the applied references. Accordingly, withdrawal of the reference rejections is respectfully solicited.

Pursuant to the Examiner's informal recommendation, a drawing change is attached hereto in which the legend "Fig. 1 " is deleted.

Reconsideration and an early allowance of the application are respectfully solicited.

Respectfully submitted,



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